

Notice of Allowability

Application No.

10/654,743

Examiner

KimbleAnn Verdi

Applicant(s)

HEN ET AL.

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment filed 2/1/2008.
2. ☒ The allowed claim(s) is/are 1,2,4,5,8,9,11-16,18,19,22,24-28,30,31,34 and 36-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

This office action is in response to the After Final Amendment filed on February 2, 2008.

Claims 1-9, 11-13, 15-25, 27-29 are pending in the application.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment, to enter Supplemental Proposed Amendment received on February 29, 2008, was given in a telephone interview with David W. Victor (Reg. No. 39,867) on February 29, 2008.

The claims have been amended as specified by Applicant in the facsimile Supplement Proposed Amendment dated February 29, 2008 which is attached hereto.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

The prior art of record, specifically United States Patent 5,867,633 to Taylor, III et al. in view of United States Patent 6,754,736 B1 to Ogawa et al. in view of "Linux Device Drivers, 2nd Edition" by J. Corbet and A. Rubini, and further in view of

"Synchronization in Portable Device Drivers" by Stein J. Ryan does not expressly teach or render obvious the invention as recited in independent claims 1, 15, and 27. As to claims 1-9, 11-13, 15-25, 27-29, the prior art of record does not teach or render obvious the limitations as recited in claims 1, 15, and 27, buffering a parameter list; accessing, with one of the at least one kernel thread, device information from the device; setting device values in the buffered parameter list to the accessed device information from the device; setting a flag indicating that the at least one kernel thread needs to set parameters at the device to device parameter values set in the buffered parameter list; processing, by one of the at least one kernel thread, the buffered parameter list in response to the flag being set by performing: applying a lock on information in the buffered parameter list including the device parameter values; after applying the lock, copying the device parameter values from the buffered parameter list to a temporary buffer, wherein parameters at the device are set to the device parameter values from the buffered parameter list in the temporary buffer; and releasing the lock after copying the device parameter values from the buffered parameter list to the temporary buffer, when taken in the context of the claims as a whole.

Moreover, evidence for modifying the prior art teachings by one of ordinary skill level in the art was not uncovered so as to result in the invention as recited in claims 1, 15, and 27.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONTACT INFORMATION

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KimbleAnn Verdi whose telephone number is (571) 270-1654. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 29, 2008
KV


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER